

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3037 of 2025

Arising Out of PS. Case No.-101 Year-2023 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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Mukesh Kumar @ Mukesh Mahto Son of Lal Bachan Mahato Resident of
Village/Mohalla- Vimanapura, 75, 1st Main Cross, Reddy Palya, P.S.- Jeevan
Bhima Nagar, Distt.- Bangalore Urban (Kanataka)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv.

Mr. Hemant Ray, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State as also learned counsel for the Informant.

2. The petitioner apprehends his arrest in connection
with Bela Industrial P.S. Case No. 101 of 2023 registered for the
offences punishable under Sections 341, 342, 323, 324, 307,
504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of assaulting the
Informant by means of *lathi* and rods.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case on the basis of suspicion. He further submits that



nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of firing is against the co-accused Baidya Nath Singh who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 19435 of 2024. Co-accused Ritesh Mahto @ Ritesh Kumar has also been granted anticipatory bail by this Court vide order dated 06.09.2024 passed in Cr. Misc. No. 64305 of 2024. There is nine days delay in lodging the F.I.R. that too without there being any plausible explanation for such delay which creates doubt in the prosecution case.

5. Learned A.P.P. for the State and the Informant oppose the prayer for anticipatory bail of the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner and the petitioner having no criminal antecedent, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within



a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bela Industrial P.S. Case No. 101 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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